
From: Fields, Wanda
To: Bethel, Heidi; Orvin, Chris
CC: Jones-Coleman, Diane
Sent: 8/24/2015 11:07:05 AM
Subject: RE: Cargill Inhofe letter

AL-15-001-0869 was signed by Ken on 8/11. I handcarried it to OCIR on 8/12.

-----Original Message-----

From: Bethel, Heidi
Sent: Monday, August 24, 2015 10:32 AM
To: Orvin, Chris
Cc: Fields, Wanda; Jones-Coleman, Diane
Subject: RE: Cargill Inhofe letter

He's usually pretty fast about turning stuff around, especially if he's already seen it once. If you gave it to him last week, I imagine it would be done by now. If Wanda or Diane don't have it, I can go on a hunt for it. I'll wait to hear from Wanda or Diane first to see if they have it.

-----Original Message-----

From: Orvin, Chris
Sent: Monday, August 24, 2015 10:07 AM
To: Bethel, Heidi
Cc: Fields, Wanda; Jones-Coleman, Diane
Subject: RE: Cargill Inhofe letter

Yes. I believe Wanda made Ken's changes in CMS. We had the yellow folder with the CMS coversheet, etc. on it, and I dropped it in Ken's box. If he doesn't have it, do we need to print it out again? Would you want to check with him? Copying Wanda and Diane (tracking number: AL-15-001-0869).

Chris Orvin
U.S Environmental Protection Agency
Office of Water
202-564-0430

-----Original Message-----

From: Bethel, Heidi
Sent: Monday, August 24, 2015 10:03 AM
To: Orvin, Chris
Subject: RE: Cargill Inhofe letter

Was it logged into CMS? Let me know if you need me to help with this.

-----Original Message-----

From: Orvin, Chris
Sent: Monday, August 24, 2015 8:58 AM
To: Bethel, Heidi
Subject: RE: Cargill Inhofe letter

The letter just requires a narrative response. My memory of this is we gave Ken a draft, he gave us comments, we revised the letter, and dropped it back off on in his box. I haven't seen anything since. That was a while back, and was on my list to check in on.

Chris Orvin
U.S Environmental Protection Agency
Office of Water
202-564-0430

-----Original Message-----

From: Bethel, Heidi
Sent: Thursday, August 20, 2015 5:29 PM
To: Orvin, Chris
Subject: Cargill Inhofe letter

Hi Chris,

Can you put your hands on the Cargill Inhofe letter? It's not urgent. Ken and I got on a call with R9 for a Cargill update on Thursday and we were trying to remember if the letter required just a response or if there was also a request for multiple documents. I saw the letter, but I can't remember.

Thanks,

Heidi

Sent from my iPhone

From: Penman, Crystal
To: Bethel, Heidi
Sent: 8/19/2015 4:20:58 PM
Subject: RE: Cargill Update Call for Thursday - Ken K.

330pm EST 8/20

From: Bethel, Heidi
Sent: Wednesday, August 19, 2015 3:46 PM
To: Woo, Nancy
Cc: Penman, Crystal
Subject: Cargill Update Call for Thursday - Ken K.

Hi Nancy,

Your proposal to convene a call makes sense. I can put a half hour on the calendar for tomorrow and we can use all or some of that time. Crystal and I are trying to schedule another meeting on Ken's calendar for tomorrow. He has 2-5 pm, Eastern, available for an update. Once we have the first meeting on the calendar, we can add a time to time for you. Are you available between 2-5 pm Eastern tomorrow?

Thanks,
Heidi

Heidi Bethel, Ph.D.
U.S. Environmental Protection Agency
Special Assistant to the Deputy Assistant Administrator
Office of Water
WJC East 3311P
(202) 566-2054

From: Orvin, Chris
To: Peck, Gregory
CC: Bethel, Heidi
Sent: 8/10/2015 10:25:43 AM
Subject: RE: New Control from Sen. Inhofe on Cargill

I believe Wanda made the changes to the letter and I dropped it off in his box late last week. Copying Heidi in case she knows if he's seen/signed it.

Thanks,

Chris Orvin
U.S Environmental Protection Agency
Office of Water
202-564-0430

From: Peck, Gregory
Sent: Monday, August 10, 2015 10:20 AM
To: Orvin, Chris
Subject: Fwd: New Control from Sen. Inhofe on Cargill

Chris. Can you send the response to Stacey. Thanks.

Gregory E. Peck
Chief of Staff
Office of Water
USEPA
Washington, DC 20460

Begin forwarded message:

From: "Mitchell, Stacey" <Mitchell.Stacey@epa.gov>
Date: August 10, 2015 at 10:16:21 AM EDT
To: "Peck, Gregory" <Peck.Gregory@epa.gov>
Subject: FW: New Control from Sen. Inhofe on Cargill

Reminder you were going to check on status of a reply.

Thanks.

Stacey H. Mitchell
Deputy General Counsel| Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-7614

From: Vaught, Laura
Sent: Monday, June 29, 2015 5:21 PM
To: Mitchell, Stacey
Subject: FW: New Control from Sen. Inhofe on Cargill

FYI

From: Borum, Denis
Sent: Monday, June 29, 2015 5:18 PM
To: Kopocis, Ken; Peck, Gregory
Cc: Orvin, Chris; Vaught, Laura
Subject: New Control from Sen. Inhofe on Cargill

Being assigned your way via CMS.

Denis R. Borum
Congressional Liaison Specialist
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (MC-1301A)
Washington, D.C. 20460
(202) 564-4836 (phone)
(202) 501-1549 (fax)
borum.denis@epa.gov (e-mail)

From: Orvin, Chris
To: Fields, Wanda
CC: Peck, Gregory; Orvin, Chris; Bethel, Heidi
Sent: 7/31/2015 2:17:44 PM
Subject: Please prepare correspondence package for Ken
Attachments: AL-15-001-0869 Inhofe.pdf; Inhofe Response Cargill DRAFT JUL 30 2015.docx

Wanda –

We received this letter from Chairman Inhofe on the Cargill site. Greg has prepared a response (attached).

Can you please prepare a package for Ken's review and signature?

Thanks,

Chris Orvin
U.S Environmental Protection Agency
Office of Water
202-564-0430

United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-6175

June 26, 2015

Ken Kopocis
Deputy Assistant Administrator
Office of Water
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Deputy Assistant Administrator Kopocis,

It has come to my attention that the U.S. Environmental Protection Agency (EPA) recently exercised a rarely used "special case" authority, one employed less than a dozen times since the adoption of the Clean Water Act (CWA). The effect was to take away from the U.S. Army Corps of Engineers (Corps) the jurisdictional determination (JD) for the Cargill Industrial Salt Harvesting Facility in Redwood City, California, an industrial facility the EPA refused to address three years earlier.

It is my understanding that the project proponent began discussions with both the EPA and the Corps as early as 2006 regarding the site. Then, in May 2012, they made a formal request to both agencies for an approved JD. It was at this stage that the proponent asked the EPA to utilize its authority on the front end in order to avoid an end-of-process surprise. The EPA refused, indicating that the Corps should process the JD in the traditional manner, and that EPA would remain engaged for support and "would not add additional time to the Corps' decision process."

During the three years that the Corps and EPA considered this matter, the Office of Chief Counsel for the Corps, in coordination with its regulatory staff, provided an elaborate analysis regarding the history and characteristics of this unique industrial site (including a federal permit issued in 1940) and the applicability of both the CWA and the Rivers and Harbors Act (RHA) to it. As to the CWA, the Corps determined that there is no basis for the exertion of jurisdiction. On March 18, 2015, the Corps notified EPA that it would be issuing the JD. It was only at this point the EPA notified the Corps that it planned to exert its "special case" authority and take over the CWA portion of the JD. The Corps issued a JD regarding the applicability of the RHA to the site on March 19, 2015. In addition, the Regional Administrator for the EPA in San Francisco informed the media that its review of the matter would take until late 2015 or even 2016, which is nearly four years after the proponent first asked EPA to step in.

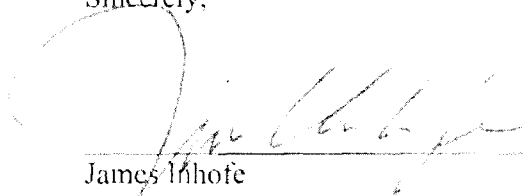
In light of these events and circumstances, please respond to the following questions no later than July 10, 2015:

Ken Kopocis
June 26, 2015
Page 2 of 2

1. Why, specifically, did the EPA feel that utilizing its "special case" authority in this instance was necessary and appropriate?
2. As to the EPA's timing, why did the agency wait over three years to exercise its "special case" authority instead of doing so early on when asked?
3. Why, specifically, did the EPA disagree with the legal analysis of the Office of Chief Counsel of the Corps when it determined that there was no basis for the exertion of jurisdiction under the CWA?
4. How will the EPA's JD analysis for this site change under the new Final "Waters of the United States" Rule?
5. What is the EPA's timing for completing the JD?

If you have any questions regarding this letter, please feel free to have your staff contact the Senate Committee on Environment and Public Works Majority Office at (202) 2246176.

Sincerely,



James Inhofe
Chairman
Senate Committee on Environment and Public Works

cc: Gina McCarthy, Administrator, U.S. Environmental Protection Agency
Jared Blumenfeld, Region IX Administrator, U.S. Environmental Protection Agency

From: Bethel, Heidi on behalf of Kopocis, Ken
To: Woo, Nancy
Sent: 8/20/2015 9:19:25 AM
Subject: Canceled: Cargill Update call Please call 202-564-5700

From: Bethel, Heidi
To: Woo, Nancy
CC: Eisenberg, Mindy; Klasen, Matthew; Orvin, Chris
Sent: 8/19/2015 3:56:29 PM
Subject: Re: Cargill Update Call for Thursday - Ken K.

FYI - Adding others involved in Cargill FOIA to this chain. Ken asked for a Cargill update. We may convene a call tomorrow afternoon for him. We are still working on it.

Heidi

Sent from my iPhone

On Aug 19, 2015, at 3:46 PM, Bethel, Heidi <Bethel.Heidi@epa.gov> wrote:

Hi Nancy,

Your proposal to convene a call makes sense. I can put a half hour on the calendar for tomorrow and we can use all or some of that time. Crystal and trying to schedule another meeting on Ken's calendar for tomorrow. He has 2-5 pm, Eastern, available for an update. Once we have the first meeting on the calendar, we can add a time to time for you. Are you available between 2-5 pm Eastern tomorrow?

Thanks,

Heidi

Heidi Bethel, Ph.D.
U.S. Environmental Protection Agency
Special Assistant to the Deputy Assistant Administrator
Office of Water
WJC East 3311P
(202) 566-2054

From: Martella, Roger
To: Mitchell, Stacey; Garbow, Avi
CC: Quast, Sylvia; Kao, Jessica; Jones, Gail-R
Sent: 10/5/2015 5:42:23 PM
Subject: RE: Request for meeting regarding Saltworks Site
Attachments: removed.txt

Stacey—Thank you for your quick reply, it's good to hear from you. I will check with the client on those dates and confirm with Gail asap. Have a good night. -- Roger

ROGER MARTELLA

Sidley Austin LLP
+1 202 736 8097
rmartella@sidley.com

From: Mitchell, Stacey [mailto:Mitchell.Stacey@epa.gov]
Sent: Monday, October 05, 2015 5:17 PM
To: Martella, Roger; Garbow, Avi
Cc: Quast, Sylvia; Kao, Jessica; Jones, Gail-R
Subject: RE: Request for meeting regarding Saltworks Site

Hi Roger –

Nice to hear from you.

I would be happy to meet with you and representatives from Cargill and Saltworks. Given their availability set out below, we would have to look to scheduling something on the afternoon of either October 19th or 20th. Once we get something set up, Avi will try to join us as well, but his schedule may only permit him to join us for a short bit. I've copied Gail Jones who can work with your scheduler to find a time that will work.

All the best,

Stacey

Stacey H. Mitchell
Deputy General Counsel| Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-7614

From: Martella, Roger [mailto:rmartella@sidley.com]
Sent: Monday, October 05, 2015 12:39 PM
To: Garbow, Avi; Mitchell, Stacey
Cc: Quast, Sylvia; Kao, Jessica
Subject: Request for meeting regarding Saltworks Site

Avi and Stacey—I hope you are doing well. I respectfully would like to request a meeting to discuss the Saltworks site in the Bay Area. I appreciate the time and effort that Sylva, Jessica, and Region 9 have made to communicate regarding EPA's ongoing assessment of the site, and believe it would be productive to have the opportunity to share some important considerations with you in the near term as EPA proceeds with its analysis. Representatives from Cargill and Saltworks will be in Washington on Thursday, October 15 if you have availability for a hour meeting that day. Another option could be Monday or Tuesday, October 19 and 20. In the alternative, we would be happy to host you at the site in California as well for the meeting, including a site

tour, if you would prefer.

Thank you for considering this request, and please let me know if you would like to discuss or if I can answer any questions in advance. I am confident we will have a productive and constructive conversation. Best wishes -- Roger

ROGER MARTELLA

Sidley Austin LLP
1501 K Street, N.W.
Washington, DC 20005
+1 202 736 8097

rmartella@sidley.com

www.sidley.com



SIDLEY AUSTIN LLP

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If you are not the intended recipient, please delete the e-mail and any attachments and notify us immediately.

From: Mitchell, Stacey
To: Garbow, Avi
Sent: 6/29/2015 5:24:43 PM
Subject: FW: New Control from Sen. Inhofe on Cargill
Attachments: Cargill Industrial Salt Harvesting Facility Letter 6-26-15.pdf

Just FYI

Stacey H. Mitchell
Deputy General Counsel| Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-7614

From: Vaught, Laura
Sent: Monday, June 29, 2015 5:21 PM
To: Mitchell, Stacey
Subject: FW: New Control from Sen. Inhofe on Cargill

FYI

From: Borum, Denis
Sent: Monday, June 29, 2015 5:18 PM
To: Kopocis, Ken; Peck, Gregory
Cc: Orvin, Chris; Vaught, Laura
Subject: New Control from Sen. Inhofe on Cargill

Being assigned your way via CMS.

Denis R. Borum
Congressional Liaison Specialist
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (MC-1301A)
Washington, D.C. 20460
(202) 564-4836 (phone)
(202) 501-1549 (fax)
borum.denis@epa.gov (e-mail)

From: Penman, Crystal on behalf of Kopocis, Ken
To: Kopocis, Ken; Woo, Nancy
CC: Kermish, Laurie; Campbell, Rich; Quast, Sylvia; Kao, Jessica; Brush, Jason; Moffatt, Brett
Sent: 8/19/2015 4:19:13 PM
Subject: Cargill Update Call Conference line: **Ex. 6 - Personal Privacy**

From: Mitchell, Stacey
To: Kopocis, Ken
Sent: 10/7/2015 10:41:57 AM
Subject: RE: Request for meeting regarding Saltworks Site

Great. We'll add you to the scheduler.

Stacey H. Mitchell
Deputy General Counsel | Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-7614

From: Kopocis, Ken
Sent: Wednesday, October 07, 2015 10:13 AM
To: Mitchell, Stacey
Subject: Re: Request for meeting regarding Saltworks Site

Probably should have OW. Could be me for now.

Ken Kopocis
Office of Water
US EPA
202-564-5700

On Oct 7, 2015, at 9:09 AM, Mitchell, Stacey <Mitchell.Stacey@epa.gov> wrote:

Would you or someone from OW like to join? Looks like we're now aiming for afternoon of 20th.

Stacey H. Mitchell
Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
[1200 Pennsylvania Avenue, NW](#)
[Washington, D.C. 20460](#)
Main 202.564.8064
Direct [202.564.7614](#)

Sent from my iPhone

Begin forwarded message:

From: "Martella, Roger" <rmartella@sidley.com>
Date: October 5, 2015 at 5:42:23 PM EDT
To: "Mitchell, Stacey" <Mitchell.Stacey@epa.gov>, "Garbow, Avi" <Garbow.Avi@epa.gov>
Cc: "Quast, Sylvia" <Quast.Sylvia@epa.gov>, "Kao, Jessica" <Kao.Jessica@epa.gov>, "Jones, Gail-R" <Jones.Gail-R@epa.gov>
Subject: RE: Request for meeting regarding Saltworks Site

Stacey—Thank you for your quick reply, it's good to hear from you. I will check with the client on those dates and confirm with Gail asap. Have a good night. -- Roger

ROGER MARTELLA

Sidley Austin LLP

From: Mitchell, Stacey [<mailto:Mitchell.Stacey@epa.gov>]
Sent: Monday, October 05, 2015 5:17 PM
To: Martella, Roger; Garbow, Avi
Cc: Quast, Sylvia; Kao, Jessica; Jones, Gail-R
Subject: RE: Request for meeting regarding Saltworks Site

Hi Roger –

Nice to hear from you.

I would be happy to meet with you and representatives from Cargill and Saltworks. Given their availability set out below, we would have to look to scheduling something on the afternoon of either October 19th or 20th. Once we get something set up, Avi will try to join us as well, but his schedule may only permit him to join us for a short bit. I've copied Gail Jones who can work with your scheduler to find a time that will work.

All the best,

Stacey

Stacey H. Mitchell
Deputy General Counsel | Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-7614

From: Martella, Roger [<mailto:rmartella@sidley.com>]
Sent: Monday, October 05, 2015 12:39 PM
To: Garbow, Avi; Mitchell, Stacey
Cc: Quast, Sylvia; Kao, Jessica
Subject: Request for meeting regarding Saltworks Site

Avi and Stacey—I hope you are doing well. I respectfully would like to request a meeting to discuss the Saltworks site in the Bay Area. I appreciate the time and effort that Sylva, Jessica, and Region 9 have made to communicate regarding EPA's ongoing assessment of the site, and believe it would be productive to have the opportunity to share some important considerations with you in the near term as EPA proceeds with its analysis. Representatives from Cargill and Saltworks will be in Washington on Thursday, October 15 if you have availability for a hour meeting that day. Another option could be Monday or Tuesday, October 19 and 20. In the alternative, we would be happy to host you at the site in California as well for the meeting, including a site tour, if you would prefer.

Thank you for considering this request, and please let me know if you would like to discuss or if I can answer any questions in advance. I am confident we will have a productive and constructive conversation. Best wishes -- Roger

ROGER MARTELLA

Sidley Austin LLP
1501 K Street, N.W.
Washington, DC 20005
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rmartella@sidley.com
www.sidley.com



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immediately.

From: Peck, Gregory
To: Kopocis, Ken
Sent: 7/7/2015 3:02:31 PM
Subject: RE: Different topic

I think it was assigned to Region 9 for response - let me check quickly.

Gregory E. Peck
Chief of Staff
Office of Water
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue
Washington, D.C. 20460

202-564-5700

-----Original Message-----

From: Kopocis, Ken
Sent: Tuesday, July 07, 2015 2:59 PM
To: Peck, Gregory
Subject: Different topic

Status of Inhofe letter re Cargill?

Ken Kopocis
Office of Water
US EPA
202-564-5700

From: Jones-Coleman, Diane
To: Kopocis, Ken; Gilinsky, Ellen; Peck, Gregory
CC: Lousberg, Macara; Orvin, Chris
Sent: 7/1/2015 2:38:36 PM
Subject: Courtesy Copy of AL-15-001-0869 (Inhofe)
Attachments: AL-15-001-0869.pdf

FROM: Senator James Inhofe

RECEIVED: July 1, 2015

SUBJECT: Questions/Jurisdictional Determination for the Cargill Industrial Salt Harvesting Facility in Redwood City, California

ASSIGNED: OWOW to prepare response for DAA-OW signature

DUE OW-IO: July 10, 2015

Diane

Diane C. Coleman
OW Correspondence Team Leader
(202) 564-0379
E-mail: Jones-Coleman.Diane@epa.gov

From: Kao, Jessica
To: Mitchell, Stacey
Sent: 10/6/2015 1:26:22 PM
Subject: RE: Request for meeting regarding Saltworks Site

Hi Stacey,

I work closely with Sylvia and the R9 team on the special case and would like to dial in. I can be available for whatever time slot you settle on. I've met with Cargill reps with and separate from Sylvia but it'd be beneficial to listen in nevertheless. I understand Sylvia already gave you or Avi a heads-up prior to Roger's request but please feel free to contact me anytime if you'd like additional info. Thanks!

Jessica

Jessica Kao
Chief of Staff, Office of the Regional Administrator
USEPA, Pacific Southwest Region
75 Hawthorne Street
San Francisco, CA 94105
415-972-3922 (direct)
415-297-6243 (cell)

From: Martella, Roger [<mailto:rmartella@sidley.com>]
Sent: Tuesday, October 06, 2015 7:10 AM
To: Jones, Gail-R; Mitchell, Stacey
Cc: Kao, Jessica
Subject: RE: Request for meeting regarding Saltworks Site

Thank you Gail. We can be flexible with the times on the 20th depending on what works best for Stacey, Avi and others at EPA who intend to join. Thank you. Roger

Thank you for your message. I will be on travel the evening of Sunday, October 4 and may not be able to respond immediately to your message. I will respond at the earliest opportunity. Thank you. Roger

From: Jones, Gail-R
Sent: Tuesday, October 06, 2015 08:24:32 AM
To: Martella, Roger; Mitchell, Stacey
Cc: Kao, Jessica
Subject: RE: Request for meeting regarding Saltworks Site

Good morning,

Stacey is available from 1 to 4 pm on the 20th.

And she is available on the 19th from 10 to 11 am or 2 to 5 pm.

From: Martella, Roger [<mailto:rmartella@sidley.com>]
Sent: Tuesday, October 06, 2015 5:48 AM
To: Mitchell, Stacey

Cc: Kao, Jessica; Jones, Gail-R

Subject: RE: Request for meeting regarding Saltworks Site

Gail, thank you for your help setting this up. Our first choice if possible would be the 20th anytime after 11. We can also make the 19th work to accommodate everyone's schedule if that is better for folks. I understand Avi has other commitments during this time but we can be as flexible as possible to work around his schedule and Stacey's. Thank you for your help and please let me know if I can be of any assistance. Roger

Thank you for your message. I will be on travel the evening of Sunday, October 4 and may not be able to respond immediately to your message. I will respond at the earliest opportunity. Thank you. Roger

From: Mitchell, Stacey

Sent: Monday, October 05, 2015 04:17:10 PM

To: Martella, Roger; Garbow, Avi

Cc: Quast, Sylvia; Kao, Jessica; Jones, Gail-R

Subject: RE: Request for meeting regarding Saltworks Site

Hi Roger –

Nice to hear from you.

I would be happy to meet with you and representatives from Cargill and Saltworks. Given their availability set out below, we would have to look to scheduling something on the afternoon of either October 19th or 20th. Once we get something set up, Avi will try to join us as well, but his schedule may only permit him to join us for a short bit. I've copied Gail Jones who can work with your scheduler to find a time that will work.

All the best,

Stacey

Stacey H. Mitchell

Deputy General Counsel| Office of General Counsel

U.S. Environmental Protection Agency

(202) 564-7614

From: Martella, Roger [<mailto:rmartella@sidley.com>]

Sent: Monday, October 05, 2015 12:39 PM

To: Garbow, Avi; Mitchell, Stacey

Cc: Quast, Sylvia; Kao, Jessica

Subject: Request for meeting regarding Saltworks Site

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Thank you for considering this request, and please let me know if you would like to discuss or if I can answer any questions in advance. I am confident we will have a productive and constructive conversation. Best wishes -- Roger

ROGER MARTELLA

Sidley Austin LLP
1501 K Street, N.W.
Washington, DC 20005
+1 202 736 8097
rmartella@sidley.com
www.sidley.com



SIDLEY AUSTIN LLP

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If you are not the intended recipient, please delete the e-mail and any attachments and notify us
immediately.

From: Orvin, Chris
To: Mitchell, Stacey
CC: Peck, Gregory
Sent: 8/10/2015 10:32:16 AM
Subject: RE: New Control from Sen. Inhofe on Cargill
Attachments: Inhofe Cargill response - revised 08-06-15.docx

Stacey –

Greg asked me to send this to you. I believe it is in Ken's box for signature. This version includes his edits.

I can also send you the final when it's signed, if you like.

Thanks,

Chris Orvin
U.S Environmental Protection Agency
Office of Water
202-564-0430

From: Peck, Gregory
Sent: Monday, August 10, 2015 10:20 AM
To: Orvin, Chris
Subject: Fwd: New Control from Sen. Inhofe on Cargill

Chris. Can you send the response to Stacey. Thanks.

Gregory E. Peck
Chief of Staff
Office of Water
USEPA
Washington, DC 20460

Begin forwarded message:

From: "Mitchell, Stacey" <Mitchell.Stacey@epa.gov>
Date: August 10, 2015 at 10:16:21 AM EDT
To: "Peck, Gregory" <Peck.Gregory@epa.gov>
Subject: FW: New Control from Sen. Inhofe on Cargill

Reminder you were going to check on status of a reply.

Thanks.

Stacey H. Mitchell
Deputy General Counsel | Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-7614

From: Vaught, Laura
Sent: Monday, June 29, 2015 5:21 PM
To: Mitchell, Stacey
Subject: FW: New Control from Sen. Inhofe on Cargill

FYI

From: Borum, Denis
Sent: Monday, June 29, 2015 5:18 PM
To: Kopocis, Ken; Peck, Gregory
Cc: Orvin, Chris; Vaught, Laura
Subject: New Control from Sen. Inhofe on Cargill

Being assigned your way via CMS.

Denis R. Borum
Congressional Liaison Specialist
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (MC-1301A)
Washington, D.C. 20460
(202) 564-4836 (phone)
(202) 501-1549 (fax)
borum.denis@epa.gov (e-mail)

From: Peck, Gregory
To: Mitchell, Stacey
Sent: 8/10/2015 10:18:43 AM
Subject: Re: New Control from Sen. Inhofe on Cargill

I gave a draft response to ken after Karyn reviewed. I'll make sure you see it too.

Gregory E. Peck
Chief of Staff
Office of Water
USEPA
Washington, DC 20460

On Aug 10, 2015, at 10:16 AM, Mitchell, Stacey <Mitchell.Stacey@epa.gov> wrote:

Reminder you were going to check on status of a reply.

Thanks.

Stacey H. Mitchell
Deputy General Counsel | Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-7614

From: Vaught, Laura
Sent: Monday, June 29, 2015 5:21 PM
To: Mitchell, Stacey
Subject: FW: New Control from Sen. Inhofe on Cargill

FYI

From: Borum, Denis
Sent: Monday, June 29, 2015 5:18 PM
To: Kopocis, Ken; Peck, Gregory
Cc: Orvin, Chris; Vaught, Laura
Subject: New Control from Sen. Inhofe on Cargill

Being assigned your way via CMS.

Denis R. Borum
Congressional Liaison Specialist
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (MC-1301A)
Washington, D.C. 20460
(202) 564-4836 (phone)
(202) 501-1549 (fax)
borum.denis@epa.gov (e-mail)

From: Quast, Sylvia
To: Mitchell, Stacey
Sent: 8/6/2015 1:55:48 PM
Subject: FW: Saltworks follow up to June 9
Attachments: 150729.RCS to Quast Kao re 150609.pdf

From: David Smith [mailto:dsmith@sticeblock.com]
Sent: Wednesday, July 29, 2015 1:23 PM
To: Quast, Sylvia; Kao, Jessica
Cc: Barbara Ransom
Subject: Saltworks follow up to June 9

Sylvia and Jessica,

Barbara and I wanted to follow up on our meeting on June 9. Thank you for your attention to the attached. Please let us know what would be most convenient for you as to next steps.

Regards, David Smith



DAVID C. SMITH

Partner

dsmith@sticeblock.com

PHONE 510.735.0034 | **MOBILE** 949.923.8170

2335 Broadway, Suite 201, Oakland, Ca. 94612 (M-W)

4343 Von Karman Ave., 3rd Floor West, Newport Beach, Ca. 92660

(Th, F)



July 29, 2015

VIA ELECTRONIC MAIL

Quast.Sylvia@epa.gov

Kao.Jessica@epa.gov

Sylvia Quast
U.S. ENVIRONMENTAL PROTECTION AGENCY
75 Hawthorne Street
San Francisco, Ca. 94105

Jessica Kao
U.S. ENVIRONMENTAL PROTECTION AGENCY
75 Hawthorne Street
San Francisco, Ca. 94105

Re: Redwood City Saltworks Special Case

Dear Sylvia and Jessica,

Thank you both for taking the time to meet with Barbara Ransom and me on June 9, 2015. We appreciate the time and information that you shared, even if we respectfully and strongly disagree with EPA's position and much of what was said. Saltworks is exploring its legal options, and will certainly take all appropriate steps to protect its rights. That said, in the spirit of a collaborative relationship and hopefully resolution, we would appreciate the opportunity to continue to share information regarding updates on the status of EPA's assumption of responsibility for the Clean Water Act (CWA) jurisdictional determination (JD) for the Saltworks site. We are thus writing with several follow up questions that we would appreciate the opportunity to discuss.

At the meeting, you indicated that Jessica will oversee EPA's review of this matter and that EPA's review would include "everything." EPA indicated it intends to contract for the services of outside third parties to conduct EPA's evaluation of the matter and, ultimately, prepare the JD. EPA did not share with us what third parties you were in contact with in this regard, but indicated no request for proposal or "RFPs" had yet been issued.

Given the significant and direct interest of Saltworks in this process and the ongoing harm caused by additional delay, we would appreciate confirmation and updates regarding where EPA's review now stands and planned or anticipated steps forward. Specifically:

- What is the timing for review and completion of the JD?
- Do you still intend to contract with outside parties for the evaluation and completion of the JD?
- If so, has that party/parties been retained?
- What is the scope of work for the third parties?
- Will the project applicant be permitted to participate in the evaluation process for the JD, prior to any issuance of the JD, to have dialogue about the legal framework?

Ms. Sylvia Quast
Ms. Jessica Kao
U.S. ENVIRONMENTAL PROTECTION AGENCY
July 29, 2015
Page 2

We know it does not come as a surprise to EPA that Saltworks takes strong objection to EPA's late assertion of special case authority, and we respectfully request the opportunity to stay in close communication with EPA regarding updates on the Agency's review and opportunities for Saltworks to help facilitate information sharing to reach an appropriate resolution. EPA asserted its special case authority to assume control of and responsibility for the JD on or about March 18, 2015, almost three years after we originally asked EPA to help conduct the JD. And our concern is heightened by the fact EPA is not now "finalizing" or "wrapping up" a process with which it has identified concerns. Rather, EPA is only now starting anew on a blank page, asking for documents which it has had in its possession for over three years and longer, and is just starting to "look at everything."

We understood from the meeting that key EPA staff had not yet reviewed our May 2012 Request for an Approved Jurisdictional Determination, either prior to EPA choosing to special case the JD or since. As we urged and requested in the meeting, we believe a focused reading of the primary document by which the project applicant explained and legally justified its views regarding jurisdiction or lack thereof should occur first, prior to EPA proceeding further under its asserted special case authority, and that EPA should reconsider its approach based on the information in the Request.

We also have significant questions and concerns regarding EPA's reference in the June 9 meeting to a technical "data" investigation. More specifically, it seemed the third-party contractors EPA intended to retain were "environmental consultants." When we asked about the legal framework under which the JD would be analyzed, the focus seemed to remain on the need for technical details evaluation and investigation. The Corps, as you know, produced two legal memoranda thoroughly analyzing the legal framework by which the jurisdictional question for the site as to both the CWA and Rivers and Harbors Act should be approached and applied.

The San Francisco District of the Corps provided those legal memoranda to EPA Region IX on March 23, 2014. To our knowledge, EPA never refuted or identified provisions of the memos with which they disagreed or took issue. In fact, it was not until nearly a year later that EPA formally stepped in, only once the Corps notified EPA it would be issuing its JD for both the CWA and RHA on March 18, 2015. We trust that if EPA proceeds to conduct the JD, EPA will specifically address the provisions of the Corps legal memoranda with which EPA takes issue or which EPA believes are an incorrect statement of law as applied to this site.

Furthermore, EPA has been at the table regarding potential future uses of this site since 2006 and before. Some meetings regarding the jurisdictional issue in 2008 and 2009 with the Corps were hosted by EPA at its Region IX offices. Many EPA officials have been on tours of the site over the years. And, perhaps most significantly of all, our formal request for the JD in May 2012 was co-addressed to the San Francisco District of the Corps and Region IX of EPA. Thus, we would appreciate more clarity regarding why EPA perceives a need for more technical information.

Ms. Sylvia Quast
Ms. Jessica Kao
U.S. ENVIRONMENTAL PROTECTION AGENCY
July 29, 2015
Page 3

We would appreciate responses to the questions posed above as to the status of the JD and the process forward as you see it. Please let us know a convenient time to follow up on these requests. Many thanks for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "David C. Smith", with a long horizontal flourish extending to the right.

David C. Smith

cc: Barbara Ransom, Cargill

From: Quast, Sylvia
To: Mitchell, Stacey
Sent: 8/6/2015 12:29:21 PM
Subject: RE: New Control from Sen. Inhofe on Cargill

Would you send me our response? Thanks!

From: Mitchell, Stacey
Sent: Tuesday, June 30, 2015 8:54 AM
To: Quast, Sylvia
Subject: FW: New Control from Sen. Inhofe on Cargill

As mentioned.

Stacey H. Mitchell
Deputy General Counsel| Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-7614

From: Vaught, Laura
Sent: Monday, June 29, 2015 5:21 PM
To: Mitchell, Stacey
Subject: FW: New Control from Sen. Inhofe on Cargill

FYI

From: Borum, Denis
Sent: Monday, June 29, 2015 5:18 PM
To: Kopocis, Ken; Peck, Gregory
Cc: Orvin, Chris; Vaught, Laura
Subject: New Control from Sen. Inhofe on Cargill

Being assigned your way via CMS.

Denis R. Borum
Congressional Liaison Specialist
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (MC-1301A)
Washington, D.C. 20460
(202) 564-4836 (phone)
(202) 501-1549 (fax)
borum.denis@epa.gov (e-mail)

From: Mitchell, Stacey
To: Jones, Gail-R
Sent: 10/7/2015 10:42:13 AM
Subject: FW: Request for meeting regarding Saltworks Site

Please also include Ken Kopocis

Stacey H. Mitchell
Deputy General Counsel | Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-7614

From: Kopocis, Ken
Sent: Wednesday, October 07, 2015 10:13 AM
To: Mitchell, Stacey
Subject: Re: Request for meeting regarding Saltworks Site

Probably should have OW. Could be me for now.

Ken Kopocis
Office of Water
US EPA
202-564-5700

On Oct 7, 2015, at 9:09 AM, Mitchell, Stacey <Mitchell.Stacey@epa.gov> wrote:

Would you or someone from OW like to join? Looks like we're now aiming for afternoon of 20th.

Stacey H. Mitchell
Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
[1200 Pennsylvania Avenue, NW](#)
[Washington, D.C. 20460](#)
Main 202.564.8064
Direct [202.564.7614](#)

Sent from my iPhone

Begin forwarded message:

From: "Martella, Roger" <rmartella@sidley.com>
Date: October 5, 2015 at 5:42:23 PM EDT
To: "Mitchell, Stacey" <Mitchell.Stacey@epa.gov>, "Garbow, Avi" <Garbow.Avi@epa.gov>
Cc: "Quast, Sylvia" <Quast.Sylvia@epa.gov>, "Kao, Jessica" <Kao.Jessica@epa.gov>, "Jones, Gail-R" <Jones.Gail-R@epa.gov>
Subject: RE: Request for meeting regarding Saltworks Site

Stacey—Thank you for your quick reply, it's good to hear from you. I will check with the client on those dates and confirm with Gail asap. Have a good night. -- Roger

ROGER MARTELLA

Sidley Austin LLP

From: Mitchell, Stacey [<mailto:Mitchell.Stacey@epa.gov>]
Sent: Monday, October 05, 2015 5:17 PM
To: Martella, Roger; Garbow, Avi
Cc: Quast, Sylvia; Kao, Jessica; Jones, Gail-R
Subject: RE: Request for meeting regarding Saltworks Site

Hi Roger –

Nice to hear from you.

I would be happy to meet with you and representatives from Cargill and Saltworks. Given their availability set out below, we would have to look to scheduling something on the afternoon of either October 19th or 20th. Once we get something set up, Avi will try to join us as well, but his schedule may only permit him to join us for a short bit. I've copied Gail Jones who can work with your scheduler to find a time that will work.

All the best,

Stacey

Stacey H. Mitchell
Deputy General Counsel | Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-7614

From: Martella, Roger [<mailto:rmartella@sidley.com>]
Sent: Monday, October 05, 2015 12:39 PM
To: Garbow, Avi; Mitchell, Stacey
Cc: Quast, Sylvia; Kao, Jessica
Subject: Request for meeting regarding Saltworks Site

Avi and Stacey—I hope you are doing well. I respectfully would like to request a meeting to discuss the Saltworks site in the Bay Area. I appreciate the time and effort that Sylva, Jessica, and Region 9 have made to communicate regarding EPA's ongoing assessment of the site, and believe it would be productive to have the opportunity to share some important considerations with you in the near term as EPA proceeds with its analysis. Representatives from Cargill and Saltworks will be in Washington on Thursday, October 15 if you have availability for a hour meeting that day. Another option could be Monday or Tuesday, October 19 and 20. In the alternative, we would be happy to host you at the site in California as well for the meeting, including a site tour, if you would prefer.

Thank you for considering this request, and please let me know if you would like to discuss or if I can answer any questions in advance. I am confident we will have a productive and constructive conversation. Best wishes -- Roger

ROGER MARTELLA

Sidley Austin LLP
1501 K Street, N.W.
Washington, DC 20005
+1 202 736 8097
rmartella@sidley.com
www.sidley.com



SIDLEY AUSTIN LLP

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If you are not the intended recipient, please delete the e-mail and any attachments and notify us
immediately.

From: Mitchell, Stacey
To: Kao, Jessica
CC: Jones, Gail-R
Sent: 10/7/2015 9:08:33 AM
Subject: Re: Request for meeting regarding Saltworks Site

Happy to include you.

Adding Gail to ensure you're included on the scheduler.

Gail, please also include Steve N, Carrie and Karyn.

I'll check with OW to see if they'd like to join.

Stacey H. Mitchell
Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
[1200 Pennsylvania Avenue, NW](#)
[Washington, D.C. 20460](#)
Main 202.564.8064
Direct [202.564.7614](#)

Sent from my iPhone

On Oct 6, 2015, at 1:26 PM, Kao, Jessica <Kao.Jessica@epa.gov> wrote:

Hi Stacey,

I work closely with Sylvia and the R9 team on the special case and would like to dial in. I can be available for whatever time slot you settle on. I've met with Cargill reps with and separate from Sylvia but it'd be beneficial to listen in nevertheless. I understand Sylvia already gave you or Avi a heads-up prior to Roger's request but please feel free to contact me anytime if you'd like additional info. Thanks!

Jessica

Jessica Kao
Chief of Staff, Office of the Regional Administrator
USEPA, Pacific Southwest Region
75 Hawthorne Street
San Francisco, CA 94105
415-972-3922 (direct)
415-297-6243 (cell)

From: Martella, Roger [<mailto:rmartella@sidley.com>]
Sent: Tuesday, October 06, 2015 7:10 AM
To: Jones, Gail-R; Mitchell, Stacey
Cc: Kao, Jessica
Subject: RE: Request for meeting regarding Saltworks Site

Thank you Gail. We can be flexible with the times on the 20th depending on what works best for Stacey, Avi and others at EPA who intend to join. Thank you. Roger

Thank you for your message. I will be on travel the evening of Sunday, October 4 and may not be able to respond immediately to your message. I will respond at the earliest opportunity. Thank you. Roger

From: Jones, Gail-R
Sent: Tuesday, October 06, 2015 08:24:32 AM
To: Martella, Roger; Mitchell, Stacey
Cc: Kao, Jessica
Subject: RE: Request for meeting regarding Saltworks Site

Good morning,

Stacey is available from 1 to 4 pm on the 20th.

And she is available on the 19th from 10 to 11 am or 2 to 5 pm.

From: Martella, Roger [<mailto:rmartella@sidley.com>]
Sent: Tuesday, October 06, 2015 5:48 AM
To: Mitchell, Stacey
Cc: Kao, Jessica; Jones, Gail-R
Subject: RE: Request for meeting regarding Saltworks Site

Gail, thank you for your help setting this up. Our first choice if possible would be the 20th anytime after 11. We can also make the 19th work to accommodate everyone's schedule if that is better for folks. I understand Avi has other commitments during this time but we can be as flexible as possible to work around his schedule and Stacey's. Thank you for your help and please let me know if I can be of any assistance. Roger

Thank you for your message. I will be on travel the evening of Sunday, October 4 and may not be able to respond immediately to your message. I will respond at the earliest opportunity. Thank you. Roger

From: Mitchell, Stacey
Sent: Monday, October 05, 2015 04:17:10 PM
To: Martella, Roger; Garbow, Avi
Cc: Quast, Sylvia; Kao, Jessica; Jones, Gail-R
Subject: RE: Request for meeting regarding Saltworks Site

Hi Roger –

Nice to hear from you.

I would be happy to meet with you and representatives from Cargill and Saltworks. Given their availability set out below, we would have to look to scheduling something on the afternoon of either October 19th or 20th. Once we get something set up, Avi will try to join us as well, but his schedule may only permit him to join us for a short bit. I've copied Gail Jones who can work with your scheduler to find a time that will work.

All the best,

Stacey

Stacey H. Mitchell
Deputy General Counsel| Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-7614

From: Martella, Roger [<mailto:rmartella@sidley.com>]
Sent: Monday, October 05, 2015 12:39 PM
To: Garbow, Avi; Mitchell, Stacey
Cc: Quast, Sylvia; Kao, Jessica
Subject: Request for meeting regarding Saltworks Site

Avi and Stacey—I hope you are doing well. I respectfully would like to request a meeting to discuss the Saltworks site in the Bay Area. I appreciate the time and effort that Sylva, Jessica, and Region 9 have made to communicate regarding EPA's ongoing assessment of the site, and believe it would be productive to have the opportunity to share some important considerations with you in the near term as EPA proceeds with its analysis. Representatives from Cargill and Saltworks will be in Washington on Thursday, October 15 if you have availability for a hour meeting that day. Another option could be Monday or Tuesday, October 19 and 20. In the alternative, we would be happy to host you at the site in California as well for the meeting, including a site tour, if you would prefer.

Thank you for considering this request, and please let me know if you would like to discuss or if I can answer any questions in advance. I am confident we will have a productive and constructive conversation. Best wishes – Roger

ROGER MARTELLA

Sidley Austin LLP
1501 K Street, N.W.
Washington, DC 20005
+1 202 736 8097
rmartella@sidley.com
www.sidley.com



SIDLEY AUSTIN LLP

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If you are not the intended recipient, please delete the e-mail and any attachments and notify us
immediately.

From: Mitchell, Stacey
To: Quast, Sylvia
Sent: 8/6/2015 12:55:22 PM
Subject: RE: New Control from Sen. Inhofe on Cargill

Just listened to your VM. Running to a 1pm. Can you send me a copy of your letter? I'll try to call after this one.

Thanks.

Stacey H. Mitchell
Deputy General Counsel| Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-7614

From: Quast, Sylvia
Sent: Thursday, August 06, 2015 12:29 PM
To: Mitchell, Stacey
Subject: RE: New Control from Sen. Inhofe on Cargill

Would you send me our response? Thanks!

From: Mitchell, Stacey
Sent: Tuesday, June 30, 2015 8:54 AM
To: Quast, Sylvia
Subject: FW: New Control from Sen. Inhofe on Cargill

As mentioned.

Stacey H. Mitchell
Deputy General Counsel| Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-7614

From: Vaught, Laura
Sent: Monday, June 29, 2015 5:21 PM
To: Mitchell, Stacey
Subject: FW: New Control from Sen. Inhofe on Cargill

FYI

From: Borum, Denis
Sent: Monday, June 29, 2015 5:18 PM
To: Kopocis, Ken; Peck, Gregory
Cc: Orvin, Chris; Vaught, Laura
Subject: New Control from Sen. Inhofe on Cargill

Being assigned your way via CMS.

Denis R. Borum
Congressional Liaison Specialist

Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (MC-1301A)
Washington, D.C. 20460
(202) 564-4836 (phone)
(202) 501-1549 (fax)
borum.denis@epa.gov (e-mail)

From: Mitchell, Stacey
To: Quast, Sylvia
Sent: 8/6/2015 12:32:08 PM
Subject: Re: New Control from Sen. Inhofe on Cargill

Don't think ones been sent yet. Will confirm & circle back.

Stacey H. Mitchell
Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
[1200 Pennsylvania Avenue, NW](#)
[Washington, D.C. 20460](#)
Main 202.564.8064
Direct [202.564.7614](#)

Sent from my iPhone

On Aug 6, 2015, at 12:29 PM, Quast, Sylvia <Quast.Sylvia@epa.gov> wrote:

Would you send me our response? Thanks!

From: Mitchell, Stacey
Sent: Tuesday, June 30, 2015 8:54 AM
To: Quast, Sylvia
Subject: FW: New Control from Sen. Inhofe on Cargill

As mentioned.

Stacey H. Mitchell
Deputy General Counsel | Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-7614

From: Vaught, Laura
Sent: Monday, June 29, 2015 5:21 PM
To: Mitchell, Stacey
Subject: FW: New Control from Sen. Inhofe on Cargill

FYI

From: Borum, Denis
Sent: Monday, June 29, 2015 5:18 PM
To: Kopocis, Ken; Peck, Gregory
Cc: Orvin, Chris; Vaught, Laura
Subject: New Control from Sen. Inhofe on Cargill

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Denis R. Borum
Congressional Liaison Specialist

Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (MC-1301A)
Washington, D.C. 20460
(202) 564-4836 (phone)
(202) 501-1549 (fax)
borum.denis@epa.gov (e-mail)

From: Eisenberg, Mindy
To: Peck, Gregory; Orvin, Chris
Sent: 7/6/2015 1:08:20 PM
Subject: Inhofe letter
Attachments: AL-15-001-0869 Inhofe.pdf

Giving you a heads up that this was just controlled to WD. I think it would be better for the IO to take the lead and have asked that it be re-controlled to you.

Mindy

Mindy Eisenberg
Associate Director, Wetlands Division
Office of Wetlands, Oceans and Watersheds
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW, mailcode 4502T
Washington, DC 20460
(202) 566-1290
eisenberg.mindy@epa.gov

-----Original Message-----

From: Brown, Sineta
Sent: Monday, July 06, 2015 9:55 AM
To: Eisenberg, Mindy
Subject: FW: CMS New Assignment - Yvonne Smothers - AL-15-001-0869

Mindy,

See attached letter from Senator Inhofe. Please advise as to whether we are on the hook to respond. The due date for this request is July 10th. If you have any questions, please feel free to stop by, give me a call or send me an email message.

Thank You.

Sineta Brown
Program Analyst
Office of Wetlands Oceans and Watersheds Wetlands Division
202-564-3666

-----Original Message-----

From: cmsadmin@epa.gov [mailto:cmsadmin@epa.gov]
Sent: Monday, July 06, 2015 8:22 AM
To: Goodin, John; Hunter, Christopher; Brown, Sineta; Eisenberg, Mindy
Subject: CMS New Assignment - Yvonne Smothers - AL-15-001-0869

Control AL-15-001-0869 has been assigned to your office on 7/6/15 8:22 AM by Yvonne Smothers. Please go to the CMS webpage to view the details of the control.

Summary Information -

Control Number: AL-15-001-0869
Control Subject: QUESTIONS/ THE JURISDICTIONAL DETERMINATION FOR THE CARGRILL INDUSTRIAL SALT HARVESTING FACILITY IN REDWOOD CITY, CALIFORNIA
From: Inhofe, James M

Note: This Email was automatically generated. Please do not attempt to respond to it. You can access this control at <https://cms.epa.gov/cms>. Questions or comments concerning CMS should be directed to CMS Support at 202-564-4985 or CMS Information@epa.gov.

From: Peck, Gregory
To: Orvin, Chris
Sent: 7/31/2015 1:38:48 PM
Subject: Inhofe
Attachments: Inhofe Response Cargill DRAFT JUL 30 2015.docx

Here's the draft Inhofe response on Carkill. Can you put print a draft for Ken and get his input – thanks! Let me know if yiu think it's a bit strong. OGC liked the tone – but they're not signing it haha.

Gregory E. Peck
Chief of Staff
Office of Water
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue
Washington, D.C. 20460

202-564-5700

From: Peck, Gregory
To: Orvin, Chris
Sent: 7/29/2015 5:21:51 PM
Subject: Cargill

We got a Cargill letter (from Inhofe?) a long time ago – did that ever get responded to?

Thanks

Gregory E. Peck
Chief of Staff
Office of Water
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue
Washington, D.C. 20460

202-564-5700

From: Kaiser, Sven-Erik
To: Spraul, Greg; Borum, Denis
Sent: 9/15/2015 8:43:51 AM
Subject: SEPW Letter on Cargill Facility

Greg – thanks for sending over. I'll touch base with Denis on handling. Best,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Spraul, Greg
Sent: Tuesday, September 15, 2015 8:39 AM
To: Kaiser, Sven-Erik; Borum, Denis
Subject: FW: Letter Re Cargill Facility
Importance: High

For you

Greg Spraul
Acting Associate Director
Resource Management Staff
Office of Water
U.S. Environmental Protection Agency
Email: spraul.greg@epa.gov
Direct:(202) 564-0255

From: Atcheson, Laura (EPW) [mailto:Laura_Atcheson@epw.senate.gov]
Sent: Monday, September 14, 2015 5:44 PM
To: Spraul, Greg
Subject: Letter Re Cargill Facility

Hi Greg,

Chairman Inhofe sent EPA the attached letter on June 26, 2015 and he requested a response by July 10, 2015. As of today, he has not received a response. Can you please provide a status update as soon as possible?

Thanks,

Laura

Laura Atcheson
Majority Counsel
Senate Committee on Environment and Public Works
410 Dirksen Senate Office Building
(202) 224-6176
(202) 224-5167
www.epw.senate.gov

From: Sturgeon, Lauren (EPW)
To: Borum, Denis
CC: Atcheson, Laura (EPW); Brown, Joe (EPW)
Sent: 6/29/2015 2:57:23 PM
Subject: Sen. Inhofe Letter to Deputy Assistant Administrator Kopocis
Attachments: Cargill Industrial Salt Harvesting Facility Letter 6-26-15.pdf

Good Afternoon Mr. Borum,

This letter was sent Friday afternoon, on June 26, 2015. Please feel free to contact Laura Atcheson (cc'd) or myself in regards to any other questions or concerns.

Thank you and have a great evening.

Best,

Lauren

Lauren Sturgeon
Professional Staff
Senate Committee on Environment and Public Works
202.224.4764

From: Borum, Denis
To: Mims, Kathy; Eades, Cassandra
Sent: 6/29/2015 4:16:07 PM
Subject: New Correspondence
Attachments: Cargill Industrial Salt Harvesting Facility Letter 6-26-15.pdf

Good afternoon, Kathy and Sandy –

I was told that this was sent on Friday to Dep. Assistant Administrator Kopocis. It was sent to me electronically just now. Presuming it's not already in the system, please enter and assign to OW, with me as OCIR contact. Thank you

Denis

Denis R. Borum
Congressional Liaison Specialist
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (MC-1301A)
Washington, D.C. 20460
(202) 564-4836 (phone)
(202) 501-1549 (fax)
borum.denis@epa.gov (e-mail)

From: Eisenberg, Mindy
To: Brown, Sineta
Sent: 7/6/2015 11:59:09 AM
Subject: Re: CMS New Assignment - Yvonne Smothers - AL-15-001-0869

Hi Sineta,
This should go to Greg.
Thanks

Sent from my iPhone

> On Jul 6, 2015, at 9:55 AM, Brown, Sineta <Brown.Sineta@epa.gov> wrote:
>
> Mindy,
>
> See attached letter from Senator Inhofe. Please advise as to whether we are on the hook to
respond. The due date for this request is July 10th. If you have any questions, please feel
free to stop by, give me a call or send me an email message.
>
> Thank You.
>
> Sineta Brown
> Program Analyst
> Office of Wetlands Oceans and Watersheds
> Wetlands Division
> 202-564-3666
>
> -----Original Message-----
> From: cmsadmin@epa.gov [mailto:cmsadmin@epa.gov]
> Sent: Monday, July 06, 2015 8:22 AM
> To: Goodin, John; Hunter, Christopher; Brown, Sineta; Eisenberg, Mindy
> Subject: CMS New Assignment - Yvonne Smothers - AL-15-001-0869
>
> Control AL-15-001-0869 has been assigned to your office on 7/6/15 8:22 AM by Yvonne
Smothers. Please go to the CMS webpage to view the details of the control.
>
> Summary Information -
> Control Number: AL-15-001-0869
> Control Subject: QUESTIONS/ THE JURISDICTIONAL DETERMINATION FOR THE CARGRILL INDUSTRIAL
SALT HARVESTING FACILITY IN REDWOOD CITY, CALIFORNIA
> From: Inhofe, James M
>
>
> Note: This Email was automatically generated. Please do not attempt to respond to it. You
can access this control at <https://cms.epa.gov/cms>. Questions or comments concerning CMS
should be directed to CMS Support at 202-564-4985 or CMS Information@epa.gov.
> <AL-15-001-0869 Inhofe.pdf>

From: Dolores
To: Mccarthy, Gina
Sent: 6/13/2015 11:00:40 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

The U.S. Army Corps of Engineers is poised to relinquish federal Clean Water Act jurisdiction on San Francisco Bay salt ponds at the request of Cargill, the largest private corporation in the United States. Cargill's heavy lobbying of Corps lawyers resulted in an internal legal memo that would reverse decades of federal protection for Bay salt ponds, and upend long-established precedents. That novel, unilateral re-interpretation of the Clean Water Act was created in secret, without EPA consultation, Congressional approval, or opportunity for public input. It's outrageous!

Cargill has brazenly declared it wants to win exemption from the Clean Water Act and other legal protections for salt ponds in Redwood City, California, so it can pave over wetlands to build thousands of homes in the Bay there. But the EPA can still preserve legal protection for the Bay's salt ponds. We urge you to use your authority to prevent the U.S. Army Corps from declining Clean Water Act jurisdiction on Bay salt ponds, and ensure that EPA retains the lead responsibility for evaluating federal protection of these important waters of the United States.

Thank you for taking action,

Dolores Boutin

From: Kevin
To: Mccarthy, Gina
Sent: 6/12/2015 11:14:18 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

The U.S. Army Corps of Engineers is poised to relinquish federal Clean Water Act jurisdiction on San Francisco Bay salt ponds at the request of Cargill, the largest private corporation in the United States. Cargill's heavy lobbying of Corps lawyers resulted in an internal legal memo that would reverse decades of federal protection for Bay salt ponds, and upend long-established precedents. That novel, unilateral re-interpretation of the Clean Water Act was created in secret, without EPA consultation, Congressional approval, or opportunity for public input. It's outrageous!

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Thank you for taking action,

Kevin Moore

From: Constance
To: Mccarthy, Gina
Sent: 6/13/2015 1:16:22 AM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

The U.S. Army Corps of Engineers is poised to relinquish federal Clean Water Act jurisdiction on San Francisco Bay salt ponds at the request of Cargill, the largest private corporation in the United States. Cargill's heavy lobbying of Corps lawyers resulted in an internal legal memo that would reverse decades of federal protection for Bay salt ponds, and upend long-established precedents. That novel, unilateral re-interpretation of the Clean Water Act was created in secret, without EPA consultation, Congressional approval, or opportunity for public input. It's outrageous!

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Thank you for taking action,

Constance Kozlowski

From: Kris
To: Mccarthy, Gina
Sent: 6/12/2015 9:51:31 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

The U.S. Army Corps of Engineers is poised to relinquish federal Clean Water Act jurisdiction on San Francisco Bay salt ponds at the request of Cargill, the largest private corporation in the United States. Cargill's heavy lobbying of Corps lawyers resulted in an internal legal memo that would reverse decades of federal protection for Bay salt ponds, and upend long-established precedents. That novel, unilateral re-interpretation of the Clean Water Act was created in secret, without EPA consultation, Congressional approval, or opportunity for public input. It's outrageous!

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Thank you for taking action,

Kris Organ

From: Gail
To: Mccarthy, Gina
Sent: 6/13/2015 12:24:16 AM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

The U.S. Army Corps of Engineers is poised to relinquish federal Clean Water Act jurisdiction on San Francisco Bay salt ponds at the request of Cargill, the largest private corporation in the United States. Cargill's heavy lobbying of Corps lawyers resulted in an internal legal memo that would reverse decades of federal protection for Bay salt ponds, and upend long-established precedents. That novel, unilateral re-interpretation of the Clean Water Act was created in secret, without EPA consultation, Congressional approval, or opportunity for public input. It's outrageous!

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Thank you for taking action,

Gail McCall

From: Annabelle
To: Mccarthy, Gina
Sent: 6/12/2015 10:28:42 AM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

The U.S. Army Corps of Engineers is poised to relinquish federal Clean Water Act jurisdiction on San Francisco Bay salt ponds at the request of Cargill, the largest private corporation in the United States. Cargill's heavy lobbying of Corps lawyers resulted in an internal legal memo that would reverse decades of federal protection for Bay salt ponds, and upend long-established precedents. That novel, unilateral re-interpretation of the Clean Water Act was created in secret, without EPA consultation, Congressional approval, or opportunity for public input. It's outrageous!

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Thank you for taking action,

Annabelle Travis

From: Paul
To: Mccarthy, Gina
Sent: 6/12/2015 10:47:47 AM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

The U.S. Army Corps of Engineers is poised to relinquish federal Clean Water Act jurisdiction on San Francisco Bay salt ponds at the request of Cargill, the largest private corporation in the United States. Cargill's heavy lobbying of Corps lawyers resulted in an internal legal memo that would reverse decades of federal protection for Bay salt ponds, and upend long-established precedents. That novel, unilateral re-interpretation of the Clean Water Act was created in secret, without EPA consultation, Congressional approval, or opportunity for public input. It's outrageous!

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Thank you for taking action,

Paul Vierra

From: Teddi
To: Mccarthy, Gina
Sent: 6/12/2015 1:55:04 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

The U.S. Army Corps of Engineers is poised to relinquish federal Clean Water Act jurisdiction on San Francisco Bay salt ponds at the request of Cargill, the largest private corporation in the United States. Cargill's heavy lobbying of Corps lawyers resulted in an internal legal memo that would reverse decades of federal protection for Bay salt ponds, and upend long-established precedents. That novel, unilateral re-interpretation of the Clean Water Act was created in secret, without EPA consultation, Congressional approval, or opportunity for public input. It's outrageous!

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Thank you for taking action,

Teddi Baggins

From: Stefanie
To: Mccarthy, Gina
Sent: 6/12/2015 3:58:14 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

The U.S. Army Corps of Engineers is poised to relinquish federal Clean Water Act jurisdiction on San Francisco Bay salt ponds at the request of Cargill, the largest private corporation in the United States. Cargill's heavy lobbying of Corps lawyers resulted in an internal legal memo that would reverse decades of federal protection for Bay salt ponds, and upend long-established precedents. That novel, unilateral re-interpretation of the Clean Water Act was created in secret, without EPA consultation, Congressional approval, or opportunity for public input. It's outrageous!

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Thank you for taking action,

Stefanie Arthur

From: Cecilia
To: Mccarthy, Gina
Sent: 6/12/2015 2:29:33 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

The U.S. Army Corps of Engineers is poised to relinquish federal Clean Water Act jurisdiction on San Francisco Bay salt ponds at the request of Cargill, the largest private corporation in the United States. Cargill's heavy lobbying of Corps lawyers resulted in an internal legal memo that would reverse decades of federal protection for Bay salt ponds, and upend long-established precedents. That novel, unilateral re-interpretation of the Clean Water Act was created in secret, without EPA consultation, Congressional approval, or opportunity for public input. It's outrageous!

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Thank you for taking action,

Cecilia Treharne

From: Amy
To: Mccarthy, Gina
Sent: 6/12/2015 6:15:57 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

The U.S. Army Corps of Engineers is poised to relinquish federal Clean Water Act jurisdiction on San Francisco Bay salt ponds at the request of Cargill, the largest private corporation in the United States. Cargill's heavy lobbying of Corps lawyers resulted in an internal legal memo that would reverse decades of federal protection for Bay salt ponds, and upend long-established precedents. That novel, unilateral re-interpretation of the Clean Water Act was created in secret, without EPA consultation, Congressional approval, or opportunity for public input. It's outrageous!

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Thank you for taking action,

Amy Prosser

From: Anna
To: Mccarthy, Gina
Sent: 6/11/2015 5:36:22 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

The U.S. Army Corps of Engineers is poised to relinquish federal Clean Water Act jurisdiction on San Francisco Bay salt ponds at the request of Cargill, the largest private corporation in the United States. Cargill's heavy lobbying of Corps lawyers resulted in an internal legal memo that would reverse decades of federal protection for Bay salt ponds, and upend long-established precedents. That novel, unilateral re-interpretation of the Clean Water Act was created in secret, without EPA consultation, Congressional approval, or opportunity for public input. It's outrageous!

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Thank you for taking action,

Anna Steward

From: Jane
To: Mccarthy, Gina
Sent: 6/10/2015 8:08:28 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

The U.S. Army Corps of Engineers is poised to relinquish federal Clean Water Act jurisdiction on San Francisco Bay salt ponds at the request of Cargill, the largest private corporation in the United States. Cargill's heavy lobbying of Corps lawyers resulted in an internal legal memo that would reverse decades of federal protection for Bay salt ponds, and upend long-established precedents. That novel, unilateral re-interpretation of the Clean Water Act was created in secret, without EPA consultation, Congressional approval, or opportunity for public input. It's outrageous!

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Thank you for taking action,

Jane Turrel

From: Dennis
To: Mccarthy, Gina
Sent: 6/11/2015 3:12:07 AM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

The U.S. Army Corps of Engineers is poised to relinquish federal Clean Water Act jurisdiction on San Francisco Bay salt ponds at the request of Cargill, the largest private corporation in the United States. Cargill's heavy lobbying of Corps lawyers resulted in an internal legal memo that would reverse decades of federal protection for Bay salt ponds, and upend long-established precedents. That novel, unilateral re-interpretation of the Clean Water Act was created in secret, without EPA consultation, Congressional approval, or opportunity for public input. It's outrageous!

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Thank you for taking action,

Dennis Wu

From: Roberta
To: Mccarthy, Gina
Sent: 6/10/2015 10:18:46 AM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

The U.S. Army Corps of Engineers is poised to relinquish federal Clean Water Act jurisdiction on San Francisco Bay salt ponds at the request of Cargill, the largest private corporation in the United States. Cargill's heavy lobbying of Corps lawyers resulted in an internal legal memo that would reverse decades of federal protection for Bay salt ponds, and upend long-established precedents. That novel, unilateral re-interpretation of the Clean Water Act was created in secret, without EPA consultation, Congressional approval, or opportunity for public input. It's outrageous!

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Thank you for taking action,

Roberta LaFrance

From: D.
To: Mccarthy, Gina
Sent: 6/25/2015 11:05:55 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

The U.S. Army Corps of Engineers is poised to relinquish federal Clean Water Act jurisdiction on San Francisco Bay salt ponds at the request of Cargill, the largest private corporation in the United States. Cargill's heavy lobbying of Corps lawyers resulted in an internal legal memo that would reverse decades of federal protection for Bay salt ponds, and upend long-established precedents. That novel, unilateral re-interpretation of the Clean Water Act was created in secret, without EPA consultation, Congressional approval, or opportunity for public input. It's outrageous!

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Thank you for taking action,

D. Singer

From: Daniel
To: Mccarthy, Gina
Sent: 6/20/2015 7:40:30 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

The U.S. Army Corps of Engineers is poised to relinquish federal Clean Water Act jurisdiction on San Francisco Bay salt ponds at the request of Cargill, the largest private corporation in the United States. Cargill's heavy lobbying of Corps lawyers resulted in an internal legal memo that would reverse decades of federal protection for Bay salt ponds, and upend long-established precedents. That novel, unilateral re-interpretation of the Clean Water Act was created in secret, without EPA consultation, Congressional approval, or opportunity for public input. It's outrageous!

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Thank you for taking action,

Daniel Soong

From: Fred
To: Mccarthy, Gina
Sent: 6/12/2015 10:24:12 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

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Thank you for taking action,

Fred Morrison

From: Elizabeth
To: Mccarthy, Gina
Sent: 6/12/2015 8:40:24 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

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Thank you for taking action,

Elizabeth Milliken

From: Reevyn
To: Mccarthy, Gina
Sent: 6/12/2015 7:52:17 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

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Thank you for taking action,

Reevyn Aronson

From: JOANNE
To: Mccarthy, Gina
Sent: 6/12/2015 7:38:57 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

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Thank you for taking action,

JOANNE BAGAN

From: Julie
To: Mccarthy, Gina
Sent: 6/12/2015 7:12:53 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

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Thank you for taking action,

Julie Magilen

From: Judith
To: Mccarthy, Gina
Sent: 6/12/2015 7:04:26 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

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Thank you for taking action,

Judith Butts

From: Jon
To: Mccarthy, Gina
Sent: 6/12/2015 6:27:07 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

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Thank you for taking action,

Jon Spangler

From: Paula
To: Mccarthy, Gina
Sent: 6/12/2015 6:26:30 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

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Thank you for taking action,

Paula Downing

From: Tim
To: Mccarthy, Gina
Sent: 6/12/2015 6:00:51 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

The U.S. Army Corps of Engineers is poised to relinquish federal Clean Water Act jurisdiction on San Francisco Bay salt ponds at the request of Cargill, the largest private corporation in the United States. Cargill's heavy lobbying of Corps lawyers resulted in an internal legal memo that would reverse decades of federal protection for Bay salt ponds, and upend long-established precedents. That novel, unilateral re-interpretation of the Clean Water Act was created in secret, without EPA consultation, Congressional approval, or opportunity for public input. It's outrageous!

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Thank you for taking action,

Tim Ereneta

From: Grace Louise
To: Mccarthy, Gina
Sent: 6/12/2015 5:55:43 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

The U.S. Army Corps of Engineers is poised to relinquish federal Clean Water Act jurisdiction on San Francisco Bay salt ponds at the request of Cargill, the largest private corporation in the United States. Cargill's heavy lobbying of Corps lawyers resulted in an internal legal memo that would reverse decades of federal protection for Bay salt ponds, and upend long-established precedents. That novel, unilateral re-interpretation of the Clean Water Act was created in secret, without EPA consultation, Congressional approval, or opportunity for public input. It's outrageous!

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Thank you for taking action,

Grace Louise Rutledge

From: Trevlyn
To: Mccarthy, Gina
Sent: 6/12/2015 5:35:30 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

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Thank you for taking action,

Trevlyn Williams

From: Shannon
To: Mccarthy, Gina
Sent: 6/12/2015 12:58:49 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

The U.S. Army Corps of Engineers is poised to relinquish federal Clean Water Act jurisdiction on San Francisco Bay salt ponds at the request of Cargill, the largest private corporation in the United States. Cargill's heavy lobbying of Corps lawyers resulted in an internal legal memo that would reverse decades of federal protection for Bay salt ponds, and upend long-established precedents. That novel, unilateral re-interpretation of the Clean Water Act was created in secret, without EPA consultation, Congressional approval, or opportunity for public input. It's outrageous!

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Thank you for taking action,

Shannon Healey

From: Claude
To: Mccarthy, Gina
Sent: 6/12/2015 12:33:07 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

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Thank you for taking action,

Claude Rouquet

From: Csilla
To: Mccarthy, Gina
Sent: 6/12/2015 12:23:00 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

The U.S. Army Corps of Engineers is poised to relinquish federal Clean Water Act jurisdiction on San Francisco Bay salt ponds at the request of Cargill, the largest private corporation in the United States. Cargill's heavy lobbying of Corps lawyers resulted in an internal legal memo that would reverse decades of federal protection for Bay salt ponds, and upend long-established precedents. That novel, unilateral re-interpretation of the Clean Water Act was created in secret, without EPA consultation, Congressional approval, or opportunity for public input. It's outrageous!

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Thank you for taking action,

Csilla Csaplar

From: Todd
To: Mccarthy, Gina
Sent: 6/12/2015 12:18:08 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

The U.S. Army Corps of Engineers is poised to relinquish federal Clean Water Act jurisdiction on San Francisco Bay salt ponds at the request of Cargill, the largest private corporation in the United States. Cargill's heavy lobbying of Corps lawyers resulted in an internal legal memo that would reverse decades of federal protection for Bay salt ponds, and upend long-established precedents. That novel, unilateral re-interpretation of the Clean Water Act was created in secret, without EPA consultation, Congressional approval, or opportunity for public input. It's outrageous!

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Thank you for taking action,

Todd Whyte

From: Carolyn
To: Mccarthy, Gina
Sent: 6/12/2015 10:52:41 AM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

The U.S. Army Corps of Engineers is poised to relinquish federal Clean Water Act jurisdiction on San Francisco Bay salt ponds at the request of Cargill, the largest private corporation in the United States. Cargill's heavy lobbying of Corps lawyers resulted in an internal legal memo that would reverse decades of federal protection for Bay salt ponds, and upend long-established precedents. That novel, unilateral re-interpretation of the Clean Water Act was created in secret, without EPA consultation, Congressional approval, or opportunity for public input. It's outrageous!

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Thank you for taking action,

Carolyn George

From: Karen
To: Mccarthy, Gina
Sent: 6/12/2015 11:37:12 AM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

The U.S. Army Corps of Engineers is poised to relinquish federal Clean Water Act jurisdiction on San Francisco Bay salt ponds at the request of Cargill, the largest private corporation in the United States. Cargill's heavy lobbying of Corps lawyers resulted in an internal legal memo that would reverse decades of federal protection for Bay salt ponds, and upend long-established precedents. That novel, unilateral re-interpretation of the Clean Water Act was created in secret, without EPA consultation, Congressional approval, or opportunity for public input. It's outrageous!

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Thank you for taking action,

Karen Jolliffe

From: Susan
To: Mccarthy, Gina
Sent: 6/12/2015 11:31:12 AM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

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Thank you for taking action,

Susan Snyder

From: Cheryl
To: Mccarthy, Gina
Sent: 6/12/2015 11:16:01 AM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

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Thank you for taking action,

Cheryl Woodward

From: Kimberly
To: Mccarthy, Gina
Sent: 6/12/2015 10:18:33 AM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

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Thank you for taking action,

Kimberly Cook

From: Brian
To: Mccarthy, Gina
Sent: 6/11/2015 11:33:41 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

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Thank you for taking action,

Brian Schryver

From: edwin
To: Mccarthy, Gina
Sent: 6/11/2015 6:39:58 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

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Thank you for taking action,

edwin duerr

From: Myra
To: Mccarthy, Gina
Sent: 6/11/2015 11:17:52 AM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

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Thank you for taking action,

Myra Vallianos

From: Richard
To: Mccarthy, Gina
Sent: 6/11/2015 5:04:55 AM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

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Thank you for taking action,

Richard Hingel

From: Stephen
To: Mccarthy, Gina
Sent: 6/11/2015 3:05:10 AM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

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Thank you for taking action,

Stephen Brown

From: Raye Lynn
To: Mccarthy, Gina
Sent: 6/11/2015 12:54:50 AM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

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Thank you for taking action,

Raye Lynn Thomas

From: Eugenia
To: Mccarthy, Gina
Sent: 6/10/2015 8:26:38 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

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Thank you for taking action,

Eugenia Larson

From: Cayce
To: Mccarthy, Gina
Sent: 6/10/2015 3:54:56 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

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Thank you for taking action,

Cayce Hook

From: Mary
To: Mccarthy, Gina
Sent: 6/10/2015 1:25:50 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

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Thank you for taking action,

Mary Kelley

From: Brandon
To: Mccarthy, Gina
Sent: 6/10/2015 1:06:19 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

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Thank you for taking action,

Brandon Jenkins

From: Ann
To: Mccarthy, Gina
Sent: 6/10/2015 12:02:02 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

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Thank you for taking action,

Ann Janzen

From: Sicong
To: Mccarthy, Gina
Sent: 6/10/2015 12:00:13 PM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

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Thank you for taking action,

Sicong Zhang

From: Greg
To: Mccarthy, Gina
Sent: 6/10/2015 10:59:41 AM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

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Thank you for taking action,

Greg Mitchell

From: Phillip
To: Mccarthy, Gina
Sent: 6/10/2015 10:54:49 AM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

San Francisco Bay's waters are under attack, and we need your urgent leadership to preserve federal protection for them.

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Cargill has brazenly declared it wants to win exemption from the Clean Water Act and other legal protections for salt ponds in Redwood City, California, so it can pave over wetlands to build thousands of homes in the Bay there. But the EPA can still preserve legal protection for the Bay's salt ponds. We urge you to use your authority to prevent the U.S. Army Corps from declining Clean Water Act jurisdiction on Bay salt ponds, and ensure that EPA retains the lead responsibility for evaluating federal protection of these important waters of the United States.

Thank you for taking action,

Phillip Browne

From: Stephanie
To: Mccarthy, Gina
Sent: 6/10/2015 10:51:23 AM
Subject: Please preserve the Clean Water Act

Dear Administrator McCarthy:

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Thank you for taking action,

Stephanie Linam

From: Herb
To: Mccarthy, Gina
Sent: 6/10/2015 10:20:08 AM
Subject: Please preserve the Clean Water Act

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Thank you for taking action,

Herb Hwang

From: Andrea
To: Mccarthy, Gina
Sent: 6/10/2015 10:11:24 AM
Subject: Please preserve the Clean Water Act

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Thank you for taking action,

Andrea Reid